

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN H. FAIR,)	
)	
Petitioner,)	4:07CV3063
)	
v.)	
)	
ROBERT HOUSTON,)	ORDER
)	
Respondent.)	
)	

This matter is before the court on the respondent's motion for an enlargement of time to file his initial brief on the merits of the habeas corpus petition. (Filing No. 27.) The motion is granted.

Accordingly,

IT IS THEREFORE ORDERED that:

1. No later than February 1, 2008, the respondent shall file a separate brief. The brief shall address all matters germane to the case including, but not limited to, the merits of the petitioner's allegations that have survived initial review, and whether any claim is barred by a failure to exhaust state remedies, a procedural bar, non-retroactivity, a statute of limitations, or because the petition is an unauthorized second or successive petition. *See, e.g.,* Rules 5(b) and 9 of the Rules Governing Section 2254 Cases in the United States District Courts. *In addition the brief shall contain "pin point" citations to the state court records. When the respondent serves a copy of the brief on the petitioner, the respondent shall also provide the petitioner with a copy of the specific pages of the record which are cited in the respondent's brief.*

2. No later than 30 days following the filing of the respondent's brief, the petitioner shall file and serve a brief in response. The petitioner shall submit no other documents unless directed to do so by the court.

3. No later than 30 days after the filing of the petitioner's brief, the respondent shall file and serve a reply brief.

4. The Clerk of Court is directed to set a pro se case management deadline using the following language: "February 1, 2008: respondent's brief on the merits is due."

DATED this 21st day of December, 2007.

BY THE COURT:

s/Richard G. Kopf
United States District Judge